



# Anti Discrimination, Harassment, and Bullying Policy and Procedure

## INTRODUCTION

As a Registered Training Organisation (RTO) operating in compliance with the Standards for Registered Training Organisations (RTOs) 2015, TNL Consultants Pty Ltd, is committed to promoting a fair, safe and healthy working and training environment in which everyone is treated with dignity and respect and in which no individual or group feels bullied, threatened, intimidated or discriminated against. Bullying, harassment or discrimination in any form is unacceptable behaviour and will not be permitted or condoned.

We recognise that bullying, harassment and discrimination can exist in the workplace and training environment, as well as outside, and that this can seriously affect employees and learners lives by detracting from a productive working and learning environment. This can impact on the health, confidence, morale and performance of those affected by it, including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour.

## 1 DISCRIMINATION AND HARASSMENT

We have published these procedures to inform both employees and learners of the type of behaviour that is unacceptable and provide individuals who are the victims of personal discrimination or harassment with a means of redress. We recognise that we have a duty to implement this policy and all individuals are expected to comply with it.

Discrimination and Harassment is any unwanted physical, verbal or non-verbal conduct based on grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident of unwanted or offensive behaviour can amount to discrimination and harassment. These can take many forms and individuals may not always realise that their behaviour constitutes discrimination or harassment.

Examples of discrimination and harassment include:

- insensitive jokes and pranks;
- lewd or abusive comments about appearance;
- deliberate exclusion from conversations;
- displaying abusive or offensive writing or material;

## **RTO Anti Discrimination, Harassment and Bullying Policy and Procedure**

- unwelcome touching; and
- abusive, threatening or insulting words or behaviour.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against individuals committing any form of discrimination or harassment.

### **2 BULLYING**

Bullying is repeated, offensive, abusive, intimidating, insulting or unreasonable behaviour directed towards an individual or a group, which makes the recipient(s) feel threatened, humiliated or vulnerable. Note single incidents of bullying will not be tolerated. Bullying can occur in the workplace, learning environment and outside of these areas at events connected to these, such as social functions or business trips.

Bullying can be a form of harassment and can cause an individual to suffer negative physical and mental effects. Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which can include:

- abusive, insulting or offensive language or comments;
- unjustified criticism or complaints;
- physical or emotional threats;
- deliberate exclusion from workplace activities;
- the spreading of misinformation or malicious rumours; and
- the denial of access to information, supervision or resources such that it has a detrimental impact on the individual or group.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of bullying.

### **3 DISCRIMINATION, HARASSMENT AND BULLYING COMPLAINT PROCEDURES**

#### **i) Informal complaint**

We recognise that complaints of discrimination, bullying, harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague, trainer, or assessor of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.

If you are the victim of minor bullying or harassment you should make it clear to the bully or harasser on an informal basis that their behaviour is unwelcome and ask the individual to stop. If you feel unable to do this verbally then you should hand a written request to the individual, and your confidential helper can assist you in this.

**ii) Formal complaint**

Where the informal approach fails or if the bullying or harassment is more serious, you should bring the matter to the attention of management as a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the bullying or harassment so that the written complaint can include:

- the name of the alleged bully or harasser;
- the nature of the alleged incident of bullying or harassment;
- the dates and times when the alleged incident of bullying or harassment occurred;
- the names of any witnesses; and
- any action already taken by you to stop the alleged bullying or harassment.

On receipt of a formal complaint we will take action to separate you from the alleged bully or harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged bully or harasser to another work or training area or suspension until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation which will normally be within ten working days of the meeting with you, a report of the findings and of the investigator's decision will be sent, in writing, to you and to the alleged bully or harasser.

**4 GENERAL NOTES**

If the report concludes that the allegation is well founded, the bully or harasser will be liable to disciplinary action in accordance with our disciplinary and disciplinary dismissal procedure.

If you bring a complaint of bullying discrimination or harassment you will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent; disciplinary action will be taken against you.

Trevor N Little  
Director  
TNL Consultants Pty Ltd